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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 Twelfth Street, S. W. – Room TWB-204
Washington, D. C. 20554

Re: Ex parte, WT Docket No. 99-217, Promotion of Competitive Networks in Local
Telecommunications Markets; CC Docket No. 96-98, Implementation of Local
Competition Provisions in the Telecommunications Act of 1996

Dear Ms. Salas:

On Thursday, June 15, 2000, Teresa Marrero, Gregory Cameron, Tina Pyle and the undersigned, all of AT&T, met with Jeffrey Steinberg, Lauren Maxim Van Wazer, Leon Jackler, and Paul Noone of the Wireless Telecommunications Bureau's Commercial Wireless Division and Carl Kandutsch of Cable Services Bureau. This Notice is being filed 2 days out of time due to an administrative oversight. The purpose of the meeting was to discuss the difficulties AT&T encounters when attempting to serve customers residing in multiple tenant environments. AT&T's views, as expressed in this meeting, were consistent with its written comments and reply comments in the above-captioned proceeding.

Two copies of this Notice are being submitted to the Secretary of the FCC in accordance with Section 1.1206 (b) of the Commission's rules.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Simone".

cc: L. Jackler
C. Kandutsch
L. Maxim Van Wazer
P. Noone
J. Steinberg

CERTAIN INCUMBENT LECS IMPEDE AT&T'S ABILITY TO SERVE CUSTOMERS IN MTEs

- **ILECs use ambiguity over who owns inside wire to delay or limit CLEC use of inside wire:**
 - **ILECs refuse to offer unbundled network elements because the ILEC claims no ownership or control;**
 - **building owners refuse to permit interconnection to inside wire because they don't "think" they own the wiring.**
- **ILECs seek to levy charges that have no apparent TELRIC justification.**
- **ILECs propose Single Point of Interconnection (SPOI) arrangements that impose significant operational difficulties and unnecessary cost upon CLECs:**
 - **installation of duplicative and unnecessary "feeder" cross-connect panel;**
 - **unnecessary use of and payment for ILEC technicians;**
 - **ILEC continued control of the first pair of wire to each customer.**

CERTAIN BUILDING OWNERS IMPEDE THEIR TENANTS' ABILITY TO CHOOSE THEIR DESIRED SERVICE PROVIDERS

- **Building owners impose unreasonable and sometimes discriminatory terms before permitting access to their buildings:**
 - **one-time “administrative” fee of \$1,000 to \$1,500 for negotiations; and/or**
 - **monthly rents for equipment space (e.g., basement, riser conduit, roof tops) at rates approximately 300% higher than the average real estate rental rates; and/or**
 - **revenue sharing, sometimes in the range of 3% to 5% of gross revenues.**
- **Exclusive Access issues often arise when building owners:**
 - **enter into revenue sharing agreements with ILECs;**
 - **invest in Building Local Exchange Carriers (“BLECs”), and then prohibit entry by non-affiliated CLECs.**
- **Ambiguity over inside wire ownership can result in building owners’ refusing to permit construction of AT&T’s facilities even where ILECs deny ownership.**

RECOMMENDED COMMISSION ACTION

- **The Commission should define the “demarcation point” as:**
 - **the Minimum Point of Entry (MPoE) where the building owner asserts ownership/control of the inside wire or a network interface device located generally no more than 12 inches outside of an individual subscriber’s unit in all other cases.**
- **Clarify that the ILEC must provide nondiscriminatory access to and TELRIC supported pricing for all network elements and support related to the use of wiring between the MPoE and demarc:**
 - **ILECs cannot rely upon tariffed rates or contractual arrangements as justification for UNE pricing;**
 - **ILECs cannot reserve the first pair of inside wire for their own use; and**
 - **ILECs may not impose inefficient and/or unnecessary requirements on or preconditions for CLEC access.**
- **Commission should clarify that nondiscriminatory access required under Section 224 of the Act applies to utility-owned or controlled ducts, conduits, and rights-of-way. More specifically, the CLECs must have the rights to use in-building/intra-premise ducts, conduits or rights-of-way employed by the ILEC:**
 - **whether the facilities are owned or merely controlled by the ILEC;**
 - **regardless of whether the ILEC currently uses the facilities.**

BELLSOUTH'S PROPOSED BUILDING ACCESS REQUIREMENTS

